

# UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 373722001600

First Inventor Kenneth MCGREER

Title ARRAYED WAVEGUIDE GRATING WITH WAVEGUIDES OF UNEQUAL WIDTHS

Express Mail Label No. EL569237212US

(Only for new nonprovisional applications under 37 CFR 1.53(b))

## CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL569237212US

Date of Deposit: May 30, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

Cindy Hoang

### APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

### ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17) - 2 pages  
(Submit an original, and a duplicate for fee processing)

2. ☒ Applicant claims small entity status. - 1 page  
See 37 CFR 1.27.

3. ☒ Specification [Total Pages 34]

- (preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure

4. ☒ Drawing(s) (35 USC 113) [Total Sheets 15]

5. ☒ Oath or Declaration [Total Pages 2]

- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)

6. ☒ Application Data Sheet. See 37 CFR 1.76 - 2 pages

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies); or  
ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

### ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s)) - 3 pages

10. ☒ 37 CFR 3.73(b) Statement - 3 pages [X] Power of Attorney - 2 pages  
(where there is an assignee)

11. ☐ English Translation document (if applicable)

12. ☐ Information Disclosure Statement (IDS)/PTO-1449 [ ] Copies of IDS Citations

13. ☐ Preliminary Amendment

14. ☒ Two Return Receipt Postcard s(MPEP 503)  
Should be specifically itemized

15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17. ☒ Other Request for Early Publication - 2 pages

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No:

Prior application information:

Examiner

Group / Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

### 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

or ☐ Correspondence address below



25226

PATENT TRADEMARK OFFICE

(Insert Customer No. or Attach bar code label here)

Name Johney U. Han

Address Morrison &amp; Foerster LLP

755 Page Mill Road

City Palo Alto

State California

Zip Code 94304-1018

Country United States of America

Telephone (650) 813-5786

Fax (650) 494-0792

Name (Print/Type)

Johney U. Han

Registration No. (Attorney/Agent)

45,565

Signature

Johney Han

Date May 30, 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL FOR FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 2700.00

## Complete if Known

Application Number	To Be Assigned
Filing Date	Herewith
First Named Inventor	Kenneth MCGREER
Examiner Name	To Be Assigned
Group Art Unit	To Be Assigned
Attorney Docket No.	373722001600 (Client Ref. A022)

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **03-1952**

Deposit Account Name **Morrison & Foerster LLP**

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$ 355

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
210	-20** =	9	\$1,710
Independent Claims	7	-3** =	\$160
Multiple Dependent		135	\$135

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claims, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 2005

\*\* or number previously paid, if greater; For reissues, see above.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	40
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) 1.18(d) - Publication fee for early publication (Fee Code 195) 300

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 340

## SUBMITTED BY

Name (Print/Type)

Johney U. Han

Registration No.  
(Attorney/Agent)

45,565

## Complete (if applicable)

Telephone

(650) 813-5786

Signature

*Johney U. Han*

Date

May 30, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

pa-591900

## CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Docket No. 373722001600  
Client Ref. A022

In the application of: Kenneth MCGREER  
 Serial No.: To Be Assigned  
 Filed: Herewith  
 For: ARRAYED WAVEGUIDE GRATING WITH WAVEGUIDES OF UNEQUAL WIDTHS

Lightwave Microsystems Corporation, a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above, for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From :  
To:  
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.
2. From :  
To:  
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.
3. From :  
To:  
The document was recorded in the Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

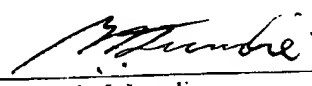
☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: May 25, 2001

  
 Name: Martin J. Lundie  
 Title: Vice President and CFO

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL569237212US

Date of Deposit: May 30, 2001

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Cindy Hoang

JC983 U.S. PTO

09/870876



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Kenneth MCGREER

Serial No.: To Be Assigned

Filing Date: Herewith

For: ARRAYED WAVEGUIDE GRATING  
WITH WAVEGUIDES OF UNEQUAL  
WIDTHS

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

REQUEST FOR EARLY PUBLICATION UNDER 37 C.F.R. §1.219

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicants respectfully request early publication of the above-referenced patent application. A Fee Transmittal, form PTO/SB/17, authorizing the required fee of \$300.00 is enclosed herewith in duplicate.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this

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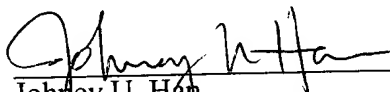
300.00 CH

document to **Deposit Account No. 03-1952** referencing docket no. 373722001600. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: May 30, 2001

By:

  
John U. Han  
Registration No. 45,565

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